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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/676,447	09/29/2000	Katsumi Shirai	3408.64755	3484

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EXAMINER

MOAZZAMI, NASSER G

ART UNIT	PAPER NUMBER
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2187

DATE MAILED: 08/17/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/676,447

Applicant(s)

SHIRAI ET AL.

Examiner

Nasser G Moazzami

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9,10,12-15,17 and 18 is/are rejected.
- 7) ☒ Claim(s) 3,8,11 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The Information Disclosure Statement submitted by applicant on 09/29/00 has been considered by examiner. Please see attached PTO-1449.

Drawings

3. The drawings are objected to because:

Figure 1, "cash" should be changed to --cache--.

Figure 1, element number 2 should be written for clarity.

Figure 6, "cash" should be changed to --cache--.

Figure 7, elements shown by numbers should be written out for clarity.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the

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remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. Claims 1-18 is presented in this application for examination.

Claim Objections

5. Claims 1-18 are objected to because of the following informalities:

Claim 1

Line 4, "and" should be changed to --said method--.

Claim 9

Line 4, "and" should be changed to --said method--.

Claims 2-8 and 10-18 are objected to as being dependent upon objected claims 1 and 9.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1-2, 4-7, 9-10 and 17-18 are rejected under 35 U.S.C. 102(a) as being anticipated by Applicant Admitted Prior Art, hereinafter AAPA.

As per claims 1-2, 4-7, 9-10, 12-15 and 17-18 AAPA discloses an emulation processing method for a storage device **[disk device 91 (see Fig. 10)]** that accesses storage medium **[disk medium 92 (see Fig. 10)]** defined by a first length unit **[first sector length (page 2, line 19)]** by a command from the host defined by a second sector length unit **[second sector length (page 2, lines 20-21)]** that is shorter than the first sector length **[first sector length is 2048 bytes and second sector length is 512 bytes (see page 2, lines 19-21)]**, said method comprising: a step of reading data of an address that is specified with a second sector length unit from said storage medium defined by a first sector length unit **[host requesting with a second sector length to access the storage medium which is in first sector length]**; a step of rewriting said read data defined by said first sector length unit into data defined by said second sector length unit; a step of saving said data that is read or rewritten in the first sector length unit; a step of writing said rewritten data to the storage medium;

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and a step of registering said saved data s alternate data when said writing failed
**[converting the sector length from one size to another and reading the
actual sector address into buffer 93 from the disk 92 and transferring the
read sectors to the host or writing the updated data to the disk 92 and if an
error occurs, performing an alternate sector process and saving the sector
address in an alternate area (page 2, line 26 through page 3, line 23)].**

Allowable Subject Matter

8. Claims 3, 8, 11 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5652865 (Rawlings, III)

U.S. Patent No. 5459850 (Clay et al.)

U.S. Patent No. 5136569 (Fennema et al.)

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser G Moazzami whose telephone number is (703) 305-0017. The examiner can normally be reached on 7:00AM-5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (703) 308-1756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NASSER MOAZZAMI
PRIMARY EXAMINER



08/10/2004